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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL



December 3, 2001



Commissioner for Patents  
Washington, D.C. 20231

WRITER'S DIRECT NUMBER:  
(202) 371-2589

INTERNET ADDRESS:  
[LARRYB@SKGF.COM](mailto:LARRYB@SKGF.COM)

ART UNIT 1648

Re: U.S. Patent Application  
Appl. No. 09/482,682; Filed: January 14, 2000  
For: Adenovirus Vectors, Packaging Cell Lines, Compositions, and  
Methods for Preparation and Use  
Inventors: Von Seggern *et al.*  
Our Ref: 1294.0010001/RWE/LBB

Sir:

Transmitted herewith for appropriate action are the following documents:

1. SKGF Cover Letter (*in duplicate*);
2. Fee Transmittal (*in duplicate*);
3. Information Disclosure Statement;
4. Form PTO-1449 with cited 126 documents;
5. SKG&F Check No. 3334 in the amount of \$180.00 for fee under 37 C.F.R.  
§ 1.71(p); and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
December 3, 2001  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lawrence B. Bugaisky  
Attorney for Applicants  
Registration No. 35,086

LBB/ybh  
Enclosures

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SKGF Rev. 11/01/01 mac

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<b>FREE TRANSMITTAL</b> <b>for FY 2002</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>																																																																																																																																																																																			
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1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">             Deposit Account Number: 19-0036              Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.           </div> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17  <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#11  
12-15-01  
RP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

VON SEGGERN *et al.*

Appl. No. 09/482,682

Filed: January 14, 2000

For: **Adenovirus Vectors, Packaging  
Cell Lines, Compositions, and  
Methods for Preparation and Use**

Art Unit: 1648

Examiner: Foley, S.

Atty. Docket: 1294.0010001/RWE/LBB



**Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following concise explanation of relevance of the non-English language documents based on the English-language abstracts for Documents AM2, AM3, and AN3 cited on Form PTO 1449.

Document AM2, WO 96/22378, is believed to discuss adenovirus with mutations in the fibre protein to alter binding selectivity. An English-language abstract of Document AM3 is provided as Document AT35.

Document AN3, EP 0 892 047, is believed to discuss semaphorin L proteins - used as immunosuppressants and antiinflammatory agents in organ transplants, inflammation therapy, immunotherapy and gene therapy. An English-language abstract of Document AN3 is provided as Document AR36.

Document AM3, WO 98/44121, is believed to discuss cells for production of recombinant adeno and adeno-associated viruses containing part of the E4 region of adeno virus, used to produce new adeno viruses defective in E1 and E4 regions for use as gene therapy vectors. An English-language abstract of Document AM2 is provided as Document AS35.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before

the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our Check No. 33389 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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